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Commissioner for Patents  
Washington, D.C. 20231  
on January 21, 2003

Date of Deposit

J. Matthew Buchanan, Reg. No. 47,453

Name of applicant, assignee or  
Registered Representative

*J. Matthew Buchanan*

Signature

21 January 2003

Date of Signature

Case No. 10546/6

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

John W. Wong

Serial No.: 09/424,431

Examiner: M.G. Mendoza

Filed: March 16, 2000

Group Art Unit: 3761

For: METHOD AND  
APPARATUS FOR  
DELIVERING  
RADIATION THERAPY  
DURING SUSPENDED  
VENTILATION

### NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

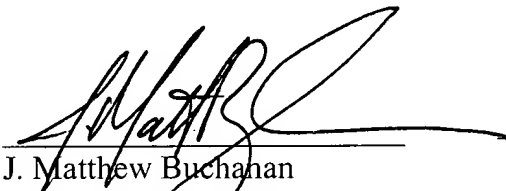
Applicant hereby appeals to the Board of Appeals from the decision dated  
September 20, 2002 of the Examiner finally rejecting Claims 15, 17-22.

The item(s) checked below are appropriate:

1. ☐ An extension of time to respond to the final rejection was granted on \_\_\_\_\_ for \_\_\_\_\_ month(s).
2. ☒ A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.
3. ☒ Fee \$160.00 Small Entity  
☒ Enclosed  
☐ Not required (Fee paid in prior appeal)  
☐ Charge to Deposit Account No. 23-1925 (One additional copy of this Notice enclosed herewith)  
☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
4. ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated: January 21, 2003

  
J. Matthew Buchanan  
Registration No. 47,459  
Attorney for Applicant

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